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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,169	12/02/2003	Michael L. Kazar	SPIN-5	5977

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11/29/2005

EXAMINER

DOAN, DUC T

ART UNIT	PAPER NUMBER
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2188

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/727,169	KAZAR ET AL.	
	Examiner	Art Unit	
	Duc T. Doan	2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/31/055.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/31/05</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Status of Claims***

Claims 1-39 are in the application.

Claims 1-39 are rejected.

### ***Claim Objections***

Claims 1,38 is objected to because of the following informalities:

As per claim 1, the NFS should not be abbreviated for the initial recital in the claims.

As per claim 31, the VFS should not be abbreviated for the initial recital in the claims.

All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Fridella et al (US Pub 2005/0044090) in view of APA (US application 10/727169) and further in view of Edsall et al (US 2004/0139167).

As for claim 1, Frieda describes an apparatus for data storage comprising: a cluster of NFS servers, each server having network ports for incoming file system requests and cluster traffic between servers (Fig 2: #133, page 1 paragraph 2); and a plurality of storage arrays in communication with the servers (Fig 2: #135), the servers utilizing a striped file system for storing data. Frieda does not describe the claim's aspect of a striped file system. However APA describes a parallel virtual file system capable of accessing data concurrently via multiple servers. It would have been obvious to one of ordinary skill in the art at the time of invention to include the parallel virtual file system as suggested by APA in Frieda's system to concurrently accessing secondary storage in a parallel manner, thereby the system bandwidth can be scaled accordingly by providing multiple servers (APA's page 1).

As for claim 2, the claim recites wherein each server has a network element and a disk element. Claim 2 rejected based on the same rationale as in the rejection of claim 1.

As for claims 3-4, the claim recites; wherein each disk element has a virtual file system with the virtual file system of each disk element together forming a striped VFS (claim 3); wherein all disk elements for a virtual file system act as meta-data servers (claim 4). Frieda does not describe the claims' detail of virtual file system, However, APA pages 1-2 describes VFS file are striped across logical storage array. It has been known that any files including meta data files can be distributed to any disks using the file systems such as NFS and VFS.

As for claim 5, Fridella describes wherein a file has attributes and each server for each file maintains a caching element that stores a last known version of the file attributes and ranges of modification time and change time values for assignment to write operation results (Fridella page 4 paragraph 32 describes file attribute are cached in both primary mover and secondary movers; Fridella's page 5 paragraph 38 further describes the secondary movers maintain the latest time using a local value  $m$  which obtained from the primary clock and value of a local timer).

As for claim 6, the claim recites wherein each disk element which is not the meta-data server for a virtual file system is an input output secondary. Claim 6 rejected based on the same rationale as in the rejection of claim 4. Fridella further pages 3,4 paragraph 27 describes that the disks are assigned to data movers operating as a front end to the cached disk array.

As for claim 7, Fridella describes wherein ranges of file modification times or file change times are reserved from the meta-data server by the input output secondary (Fridella's pages 4-5 paragraphs 36-38 describes the update time is a function of the clock time obtained from the clock of the primary mover which including a value  $m$  obtained from the primary clock).

As for claim 8, Fridella describes wherein the modification and change times in the ranges obtained from the meta-data server are issued to operations already queued at the input output secondary (Fridella's page 5 paragraph 38 describes the secondary movers maintain clock time and timer for each file that it has opened for asynchronous write access; Fridella's page 5 paragraph 39 further describes the primary file server sends the updated file-modification time to all of the other secondaries).

As for claim 9, the claim recites wherein modification and change times in the ranges obtained from the meta-data server are issued to operations received during a window of time after the ranges are reserved from the meta-data server by the input output secondary (Fridella's page 5 paragraph 38 describes the secondary receives the present value of the primary clock and a value  $m$  from the primary clock; Fridella's page 5 paragraph 42 clearly describes the asynchronous write by one client will not be visible to other clients, until "a window of time" when the client issues an NFS commit).

As for claim 10, Fridella describes wherein operations affecting all stripes of a file begin executions first at the meta-data server for a file, and then execute at all input output secondaries, such that operations at the input output secondaries wait only for already executing operations that have already finished their communication with the meta-data server. The claim rejected based on the same rationale as in the rejection of claim 9. Fridella's page 5 paragraphs 40-42 further describe for the attribute changes that affecting other secondaries, the primary server notifies each secondary; therefore the consistency in a file system is maintained.

As for claim 11 the claim recites an apparatus as described in claim 10 wherein operations follow one of at least two locking models, the first of which is to synchronize first with the meta-data server, then begin core execution by synchronizing with other operations executing at the input output secondary, and the second of which is to first synchronize at the meta-data server, and then to synchronize with operations at one or more input output secondaries that have begun core execution at the input output secondaries. Fridella's page 5 paragraph 38 describes the secondary must obtain the file attributes from the primary for a first write to a file.

Claims 12-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Fridella et al (US Pub 2005/0044090), APA (US application 10/727169) as applied to claim 11 and further in view of Edsall et al (US 2004/0139167).

As for claims 12-13, the claims recite wherein the cluster network is connected in a star topology (claim 12); wherein the cluster network is a switched Ethernet (claim 13). Although Fridella does not describe the claim's detail of the network. However, Edsell's Fig 1: #22, Fig 5: #204 describes a network utilizing gigabit Ethernet switches to connect plural of servers nodes and disk controller nodes. It would have been obvious to one of ordinary skill in the art at the time of invention to include the switches as suggested by Edsell in Frieda's system to manage and providing concurrent connections among nodes, thereby the data paths among nodes can be dynamically managed and rerouted by the switches in an efficiently manner (Edsell's page 6 paragraph 53).

Claims 14-19,29-35 rejected under 35 U.S.C. 103(a) as being unpatentable over Fridella et al (US Pub 2005/0044090) in view of APA (US application 10/727169) .

As for claim 14, the claim recites creating a file across a plurality of NFS servers; writing data into the file as strips of the data in the servers, the strips together forming a stripe; reading strips of the data from the servers; and deleting the strips from the servers. The claim rejected based on the same rationale as in the rejection of claim 1. Furthermore, APA's page 2 lines 1-15 describes a PVFS file system in which data is stripped among multiple servers through an

additional file system layer built on top of a normal file system. The PVFS file system further provides file access commands to read, write and update data in strip files.

Claim 15 rejected based on the same rationale as in the rejection of claim 6.

Claim 16 rejected based on the same rationale as in the rejection of claim 5.

Claim 17 rejected based on the same rationale as in the rejection of claim 7.

As for claims 18-19, including the step of making a status request by the caching element to the meta-data server to obtain a file's current attributes (claim 18) wherein the making a status request step includes the step of obtaining modification time and change time ranges from the meta-data server (claim 19).

Claims 20, 21, 23, 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Fridella et al (US Pub 2005/0044090), APA (US application 10/727169) as applied to claim 19 and further in view of Cheng et al (US 5701516).

As for claims 20, 21, 23, 25 the claims recite including the step of queuing file read and file write requests at the input output secondary until the file read and file write requests are admitted by the cache element and complete execution (claim 20); including the step of tracking by the cache element of the file read and file write requests executing for the file and the ranges that are being read or written (claim 21); including the step of checking a byte range affected by a file read request to ensure it does not overlap a byte range of any file write requests previously admitted and currently executing (claim 23); including the step of checking with the cache element the byte range affected by the file write request for overlap with any admitted and still executing file read or file write requests (claim 25). Fridella's page 5 paragraph 41 taught that in effect, the secondary is requesting a lock on a range of file blocks. Thus Fridella clearly suggest



that subsequent requests must be granted strictly in serial order to guarantee the integrity of data being updated, thus the consistency of NFS file system can be achieved. Fridella does not describe the claims' aspect of queuing the requests. However, Cheng describes using a queue for receiving requests is utilized to keep subsequence requests pending while a current request is being executed. When the current request is completed, the subsequent requests can be executed in the order they were received (Cheng's column 17 lines 55-60). It would have been obvious to one of ordinary skill in the art at the time of invention to include the queuing methods and structures as suggested by Cheng in Frieda's system to store and manage multiple requests in a first in first out order, thereby the data accessing to the same disk is executed in a proper order and preserving the disk data integrity (Cheng's column 17 lines 55-60).

As for claims 22,24 the claims recite including the step of requesting the cache element move out of invalid node to read mode when a read operation must be executed (claim 22); including the step of requesting, in response to a file write request that the cache element move into a write mode (claim 24). Fridella's Fig 3 #151 to #159 shows a secondary receives a file access request that moves it into a corresponding state (read or write accessing mode) and executing sequence of steps to fulfill the request.

As for claim 26, Fridella describes including the step, when executing a write request, of allocating a modification time and change time pair from the range of modification times and change times stored in the cache element (Fridella's paragraph 38).

As for claim 27, the claim recites including the step of checking the head of a queue of pending file read and file write requests to see if a head request can be admitted by the caching

element after either a file read or file write request is completed. The claim rejected based on the same rationale as in the rejection of claims 20,21,23,25.

As for claim 28 Fridella describes including the steps of detecting by the cache element that a file length must be updated in response to a file write request, moving the cache element into exclusive mode; and making a file write status call to the meta-data server to update length attributes of the file (Fridella's page 4 paragraphs 28,30 describes steps get a file system exclusively and to update file attribute such as file length).

Claim 29 rejected based on the same rationale as in the rejection of claim 5.

Claim 30 rejected based on the same rationale as in the rejection of claim 7.

Claim 31 rejected based on the same rationale as in the rejection of claim 18.

Claim 32 rejected based on the same rationale as in the rejection of claim 19.

Claim 33 rejected based on the same rationale as in the rejection of claim 22.

Claim 34 rejected based on the same rationale as in the rejection of claim 24.

Claim 35 rejected based on the same rationale as in the rejection of claim 28.

Claim 36 rejected based on the same rationale as in the rejection of claim 14. Fridella further describes file system's meta data such as directory information, inodes, indirect blocks, all blocks allocation is performed on the primary data mover (Fridella's page 4 paragraph 32).

Claim 37 rejected under 35 U.S.C. 103(a) as being unpatentable over Fridella et al (US Pub 2005/0044090) in view of APA (US application 10/727169) and further in view of Schmuck et al (US 6032216).

As for claim 37, the rationale in the rejection of claims 1 and 36 incorporated herein. The claim recites method for removing a file from storage comprising the steps of: receiving a delete file request at a meta-data server; removing a file name of the file from a parent directory by the meta-data server at the meta-data server; putting the file on a file delete list by the meta-data server at the meta-data server; sending delete calls to the input output secondaries; receiving at the meta-data server acknowledgment calls from the input output secondaries that they have deleted the file; deleting the file at the meta-data server; removing the file from the file delete list; and placing an inode number associated with the file into a free list by the meta-data server at the meta-data server. The claim rejected based on the same rationale as in the rejection of claim 14. Fridella does not describe the claim's detail of removing a file. However, Schmuck's column 18 lines 5-57 describes a method of de-allocation comprises of an allocation manager having a table to keep track of free space in regions (column 18 lines 15-24), the allocation manager and nodes are communicating to determining the identity of the blocks to be de-allocated, and de-allocation is executed by the node (column 18 lines 35-57). It would have been obvious to one of ordinary skill in the art at the time of invention to include the file accessing, allocation, de-allocation methods as suggested by Schmuck in Fridella's system to allow nodes to accessing data blocks organized into regions that can be run in parallel on multiple nodes, thereby further improves the system's I/O throughput (Schmuck's column 15 lines 1-5).

Claims 38-39 rejected under 35 U.S.C. 103(a) as being unpatentable over Fridella et al (US Pub 2005/0044090) in view of APA (US application 10/727169) and further in view of Schmuck et al (US 6032216), and Ross (Using the Parallel Virtual File System)).

As for claim 38 the claim recites a method for reading data in a file comprising the steps of: receiving an NFS read request for data in the file at a network element; determining by the network element which VFS stores at least one strip containing the data; sending a file read request from the network element to at least one disk element of a plurality of servers storing a strip of the data; obtaining current attributes associated with the file by each disk element; reading the strips of the file from each disk element having the strips; and generating a response in regard to the file read request. The claim rejected based on the same rationale as in the rejection of claim 37. Fridella does not describes the claim's detail of determining which VFS stores a strip containing the data. However, Ross's page 13 describes a parallel VFS file sytem in which the program using normal Unix I/O, the PVFS system can translate the data access requests into a stripe in a particular disk as shown in page 14, Fig 3. It would have been obvious to one of ordinary skill in the art at the time of invention to include the file accessing methods for PVFS file system as suggested by Ross in Frieda's system to provide translation of normal Unix I/O file accessing commands into proper accessing command of data strip in a PVFS file system. Thereby, user can accesses data in PVFS file system utilizing familiar Unix I/O commands without any changes.

As for claim 39 the claim recites a method for writing data in a file comprising the steps of: receiving an NFS write request for a file at a network element; determining by the network element which VFS is associated with the file; sending a file write request from the network element to at least one disk element of a plurality of servers having a stripe of the VFS; acquiring current attributes associated with the file; and writing a predetermined number of bytes of the

data into each VFS strip in succession until all of the data is written into the file. The claim rejected based on the same rationale as in the rejection of claim 38.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Soltis (US 6697846).

Soltis (US Pub 2002/0083120).

Xu et al (US 6324581).

When responding to the office action, Applicant is advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Doan whose telephone number is 571-272-4171. The examiner can normally be reached on M-F 8:00 AM 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 571-272-4210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Kevin L. Ellis**  
**Primary Examiner**

